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42 **Old Business**

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44 There was no old business.

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46 **New Business**

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48 ***Item #1 Special Use Permit, UDO 2007-09-05, Christopher Scott Robertson***

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50 Staff presented the finding of facts (see below) and asks for approval with conditions and
51 modifications stated in the finding of facts.

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55 **Findings of Fact**

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57 **UDO 2007-09-05**
58 **Special Use Permit**
59 **Christopher Scott Robertson**
60

- 61 **1. Name of Applicant:** Christopher Scott Robertson
62 **2. Agent for Applicant:** None
63 **3. Address of Applicant:** 112 River Road, Camden, NC, 27921
64 **4. File Reference:** UDO 2007-09-05
65 **5. PIN:** 02-8935-02-87-0464
66 **6. Street Address of Property:** 104 Belcross, Camden, NC, 27921
67 **7. Deed Book/Page:** Offer to purchase
68 **8. Location of Property:** Courthouse Township
69 **9. Flood Zone:** AE
70 **10. Zoning District(s):** Highway Commercial (HC)
71 **11. Is a Zoning Change required for the Proposed Use?** No
72 **12. General Description of the Proposal:** Commercial Business - Inner Banks Coating's
73 (Powder Coating)
74 **13. Use Classification:** Article 151.334 (Use # 4.120) Painting
75 **14. Date Application Received by County:** September 10, 2007
76 **15. Received by:** Dave Parks, Permit Officer
77 **16. Application Fee Paid:** \$400.00 by check #1469
78 **17. Completeness of Application:** Application appears to be complete.
79 **A. Items Needed:** None
80 **18. Proposal to be completed in phases:** No
81 **19. Documents Received Upon Filing Application or otherwise included:**
82 **A.** Land Use Application
83 **B.** GIS aerial photo of property
84 **C.** Offer to purchase contract
85 **D.** Letter from Health Department (Septic)
86 **E.** Site Plan
87 **F.** Info on business
88 **G.** Pictures (5) of parcel / structure

- 89 **20. Adjacent Property Use:** Businesses and Farmland
90 **21. Existing Land Use:** Vacant structure
91 **22. Lot size:** Approximately 1.43 acres
92 **23. Utilities:** None
93 **24. Landscaping**
94 A. Is any buffer required? No
95 B. Is any landscaping described in application: N/A
96 **25. Findings Regarding Additional Requirements**
97 A. Endangering the public health and safety: Staff feels that there is no threat to public
98 health and safety as house will be utilized as address for office
99 B. Injure the value of adjoining or abutting property: Staff feels that this would have
100 no affect on adjoining or abutting property.
101 C. Harmony with the area in which it is located: Yes as existing businesses are located
102 in area.
103 D. Conformity with the Plans
104 (1). Land Use Plan - Yes
105 (2). Thoroughfare Plan - Yes
106 (3). Other Plans officially adopted by the Board of Commissioners - N/A
107 E. Will not exceed the county's ability to provide public facilities
108 (1). Schools - No
109 (2). Fire and rescue - No
110 (3). Law Enforcement - No
111 F. Other County Facilities - No
112

113 **Staff recommends approval with the following conditions:**
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- 115 1. The applicant must strictly abide by all requirements of the Unified Development
116 Ordinance of Camden County, North Carolina, and must also strictly comply with all
117 other local, state, and federal ordinances, laws, rules and regulations as one or more
118 ordinances, laws, rules and regulations may apply to this development.
119 2. The applicant shall complete the development strictly in accordance with the plans
120 submitted to the Planning Office of Camden County, North Carolina, and contained in
121 the file titled UDO 2007-09-05.
122 3. Modify site plan to reflect 12 parking stalls to include one handicap.
123 4. Applicant shall submit to the Planning Office a drainage plan certified by a NC
124 Engineer for the proposed site.
125 5. Drainage plan shall be certified by the same engineer after installation.
126 6. Amend site plan to reflect type C Landscaping along left side property line.
127 7. If any of the conditions affixed hereto or any part thereof shall be held invalid or void,
128 then this special use permit shall be voided and have no effect.
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130 -----
131
132 Mr. Christopher Robertson, Co-owner and operator of Inner Banks Coating LLC, presented a
133 PowerPoint presentation outlining his proposed business. Copy of power point presentation
134 is on the following 2 pages.

 <p>INNER BANKS COATING LLC "PROTECTING OUR WORLD"</p> <p>Chris Robertson Co-owner/Operator</p>	<p>WHAT IS POWDER COATING?</p> <p>A Dry finishing process that uses finely ground powders of pigment and resin to coat a surface.</p>	<p>STEPS</p> <p>Metal preparation</p> <p>Mechanical (Sandblasting)</p> <p>Chemical (Phosphating)</p>
<p>SANDBLASTING</p> 	<p>CLEANING THE PART</p> <ul style="list-style-type: none"> Phosphate 50:1 Pretreatment station reclaims 98% Discharge H2O will be evaporated leaving a solid (non-hazardous) No septic discharge from process 98% of phosphate recycled 	<p>PRE-TREATMENT STATION</p> 
<p>POWDER</p> <ul style="list-style-type: none"> Non-flammable Non-toxic Stores at room temperature Sealed in boxes Thousands of colors and finishes to choose from 	<p>POWDER APPLICATION</p> <p>Electrostatic Spray</p> <ul style="list-style-type: none"> Charged Powder is sprayed onto grounded Part Any excess is swept and reused or disposed of. Enclosed powder containment booth 	
<p>APPLICATION BOOTH</p> 		<p>OVEN</p> <ul style="list-style-type: none"> Coated Parts enter the Oven Powder material melts and flows Powder film gels and Chemically Cross-links Material is hardened when part exits the oven and cools
<p>OVEN</p> <ul style="list-style-type: none"> Gas Convection (1.6 million BTU's) Typically around 400° F 8X10X20 Safety Devices built into oven UL rated 		<p>THE ADVANTAGES</p> <ul style="list-style-type: none"> Environmentally Friendly Attractive Finish with limitless color choice Highly scratch and chip resistant Chemical and Salt resistant Fade resistant Weather resistant Cheaper than traditional methods
<p>COMPARED TO TRADITIONAL PAINTING</p> <ul style="list-style-type: none"> Requires less energy No Hazardous Air Pollutants (HAP's) No Volatile Organic Chemicals (VOC's) Cheaper (\$0.04/SQFT vs. \$0.06/SQFT) Powder can be recycled PC represents 15% of market and growing Product is more durable and last longer 	<p>THE BUSINESS</p> <ul style="list-style-type: none"> Father and Son Owner Operated Camden County Resident Father: Mechanical Engineer Son: Nursing Faculty at COA Five Year Dream Interest from Building Motorcycles Renovation of Existing structure 	<p>PROSPECTIVE CLIENTS</p> <ul style="list-style-type: none"> Grave Digger Island Off-road Dunovant's Fabrication Boat Builders Contractors U.S. Coast Guard T-Com



THE FUTURE

- ✦ Add side Office, Showroom, and Storage
- ✦ Add employees to meet demand
- ✦ Expansion to conveyer system
- ✦ Explore Alternative Substrates
- ✦ Become the southeast choice for custom coating

Mr. Robertson indicated that the business is a father and son business (his father is co-owner with him). Also, he indicated that the demand for this type of service is pretty high, with the nearest facilities for this type of service being Virginia Beach, VA, then the next nearest being Charlotte, NC.

The business will be located behind Belcross Bakery in the old Owens Moving & Storage building. Among the equipment Mr. Robertson will be using is an oven which will be run on natural gas to be used to cure the coated parts.

Rodney Needham had concerns about the phosphate which is being used in the pretreatment of parts prior to coating (in order to make the powder stick to the parts better). Mr. Needham was concerned with the combustibility of phosphorous. Mr. Robertson indicated that the type of phosphate being used is Iron Phosphate (FePO_4), which is a non combustible material.

After further discussion and consideration, Calvin Leary made a motion to approve Item #1 Special Use Permit, UDO 2007-09-05, Christopher Scott Robertson. Mike Etheridge seconded the motion. The motion was approved with Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3 absent; none not voting.

Item #2, Special Use Permit, UDO 2007-09-27, E&J Holdings (Blackwater)

Staff presented the finding of facts (see below) and asks for approval with conditions and modifications stated in the finding of facts.

Findings of Fact

UDO 2007-09-27 Special Use Permit E&J Holdings (BlackWater)

- 1. Name of Applicant:** E&J Holdings
- 2. Agent for Applicant:** Ted Vogel
- 3. Address of Applicant:** P. O. Box 1029, Moyock, NC, 27958

181 **4. File Reference:** UDO 2007-09-27
182 **5. PIN:** 01-8929-00-06-2952
183 **6. Street Address of Property:** 112 Security Rd, South Mills
184 **7. Location of Property:** South Mills Township
185 **8. Flood Zone:** X
186 **9. Zoning District(s):** Light Industrial (I-1)
187 **10. Is a Zoning Change required for the Proposed Use?** No
188 **11. General Description of the Proposal:** Wind Turbine (50 KW)
189 **12. Use Classification:** Article 151.334 (Use # 18.420) Large Wind Turbines
190 **13. Date Application Received by County:** September 21, 2007
191 **14. Received by:** Dave Parks, Permit Officer
192 **15. Application Fee Paid:** \$400.00 by check #1054
193 **16. Completeness of Application:** Application appears to be complete.
194 **A. Items Needed:** None
195 **17. Proposal to be completed in phases:** No
196 **18. Documents Received Upon Filing Application or otherwise included:**
197 **A.** Land Use Application
198 **B.** GIS aerial photo of property
199 **C.** Deed
200 **19. Adjacent Property Use:** Industrial/Agriculture
201 **20. Existing Land Use:** Industrial
202 **21. Lot size:** 402 acres
203 **22. Utilities:** None
204 **23. Landscaping**
205 **A.** Is any buffer required? No
206 **B.** Is any landscaping described in application: No
207 **24. Findings Regarding Additional Requirements**
208 **A.** Endangering the public health and safety: Staff opinion is there is no threat to
209 public health and safety.
210 **B.** Injure the value of adjoining or abutting property: Staff feels that this would have
211 no affect on adjoining or abutting property.
212 **C.** Harmony with the area in which it is located: Wind turbines are a permissible in
213 the I-1 zoning district
214 **D.** Conformity with the Plans
215 (1). Land Use Plan - Yes
216 (2). Thoroughfare Plan - N/A
217 (3). Other Plans officially adopted by the Board of Commissioners - N/A
218 **E.** Will not exceed the county's ability to provide public facilities
219 (1). Schools - No
220 (2). Fire and rescue - No
221 (3). Law Enforcement - No
222 **F.** Other County Facilities - No

223 **Staff recommends approval with the following conditions:**

- 224
- 225 1. The applicant must strictly abide by all requirements of the Unified Development
 - 226 Ordinance of Camden County, North Carolina, and must also strictly comply with all
 - 227 other local, state, and federal ordinances, laws, rules and regulations as one or more
 - 228 ordinances, laws, rules and regulations may apply to this development.
 - 229 2. The applicant shall complete the development strictly in accordance with the plans
 - 230 submitted to the Planning Office of Camden County, North Carolina, and contained in
 - 231 the file titled UDO 2007-09-27.
 - 232 3. If any of the conditions affixed hereto or any part thereof shall be held invalid or void,
 - 233 then this special use permit shall be voided and have no effect.
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237 One concern the board had was interference to air flight. Blackwater has a letter from the

238 FAA stating that the FAA has conducted an aeronautical study and has made the following

239 determination regarding the wind turbine structure (excerpt from aforementioned letter):

240

241 *****DETERMINATION OF NO HAZARD TO AIR NAVIGATION**...**

242

243 ...This aeronautical study revealed that the structure does not exceed

244 obstruction standards and would not be a hazard to air navigation provided the

245 following condition(s), if any, is(are) met:

246

247 Based on this evaluation, marking and lighting are not necessary for aviation

248 safety. However, if marking and/or lighting are accomplished on a voluntary

249 basis, we recommend it be installed and maintained in accordance with FAA

250 Advisory circular 70/7460-1 K Change 2."

251

252 Also with the airstrip at Blackwater, they have gone through the aviation safety officer who

253 has spoken to the FAA as well and there are no glide slope issues on either end of the

254 runways, which are approximately 900 yards away from the site of the wind turbine.

255

256 With regard to the Northwest Naval Station, the FAA covers civilian and military

257 impedances to any type of navigation and they have no problem with this. With regard to

258 radar, it may appear as a blip on aircraft radar, but will not be seen on radar sweeps from

259 airports. Northwest Annex Radar system's Array will see anything out in front of it, so they

260 will want to know about it so they can tune the interference out of their radar reception. Mr.

261 Vogel said he would give them a call to let them know about this.

262

263 Blackwater foresees a possible need for future wind turbines, exceeding the initial one. Each

264 additional wind turbine will go through the special use permit process and will be handled

265 accordingly.

Blackwater is willing to showcase the installation and operation of their turbine to anyone else looking to make use of similar technology. Also, they would like to see an academic component added to their project at some point in the future (a student or students monitoring devices, and learning from them).

Another concern was the Avian Assessment from the Department of Environment and Natural Resources. Blackwater is working toward that, but has not yet received the assessment for this area, he should have something from them by the beginning of the week of October 22, 2007. Mr. Vogel has reports indicating national averages of avian fatalities due to wind turbines, which averages 2.19 birds per turbine per year. The design of the turbine they are installing is a 'down wind' design, which will cause the wind to flow from the front of the blades to the back of the turbine. The birds will take off away from the blades (if they roost in/on the tower), so this design is more avian friendly.

After further discussion and consideration, a motion to approve Item #2, Special Use Permit, UDO 2007-09-27, E&J Holdings (Blackwater) was made by Terri Griffin. Michael Etheridge seconded the motion. The motion was approved with Vice Chairman Rodney Needham, Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3 absent; none not voting.

Information from Board and Staff

Staff provided copies of the ordinance pertaining to review procedures and evaluation criteria for residential development / subdivision development. Also provided was a copy of each of the individual developer scorecard data, showing the smart growth assessment for each of the 5 developers looking to build subdivisions in Camden County. Side by side comparisons, charts, and graphs of these developers was also provided.

Dan spoke about the process for the developers to submit sketch plans, rezoning, etc., for the developers to be in accordance with the aforementioned ordinance.

Dan provided a copy of a letter from Blackwater USA requesting an extension on the operating hours for their firing range, from 10pm to 12 midnight. Dan indicated to the board that our UDO ordinance gives us 3 options of how to handle this, the choice of which is up to a staff administrator. The options are as follows: (1) treat it as a minor permit - the administrator looks at it and decides to approve it or deny it, (2) treat it as a major amendment to be taken before the Board of Commissioners, but not require a public hearing, and (3) treat it as a major amendment requiring a public hearing and quasi judicial proceeding before the Board of Commissioners. Dan indicated that he considers it to be a major amendment since it would have an impact on the surrounding community.

306 Terri Griffin had a question regarding the extension of hours. She wanted to know what
307 recourse if any, there was to reverse the decision of an administrator if we treat it as a minor
308 amendment, in the event that there are any complaints and the hours need to be changed back
309 to what they were before the amendment. Dan stated that the only recourse was to take the
310 complaint as an appeal before the Board of Adjustment within 10 days of the original
311 decision to question the decision of an administrator. Outside of the 10 day window, a court
312 proceeding would be required to reverse an administrative decision. According to our
313 ordinances, if we treated it as a decision of an administrator, then an appeal of an
314 administrative decision must be filed within 10 days.

315
316 The consensus of the board was to treat the extension of hours as a major amendment not
317 requiring a public hearing.

318
319 **Consider Date of Next Meeting – November 20, 2007 (Rescheduled to 11/28/2007)**

320
321 After some discussion, it was decided to postpone the November meeting until after
322 Thanksgiving, making the meeting date Wednesday, November 28, 2007.

323
324 **Adjournment**

325
326 At 8:25 PM, Michael Etheridge made a motion to adjourn the meeting. Terri Griffin
327 seconded the motion. The motion was approved with Vice Chairman Rodney Needham,
328 Members Terri Griffin, Michael Etheridge, and Calvin Leary voting aye; none voting no; 3
329 absent; none not voting.

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332 Date: _____

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335 Approved: _____
336 Chairman James Burnham

337
338
339 Attested: _____
340 Amy Barnett, Planning Clerk